



To the Honorable Council
City of Norfolk, Virginia

January 14, 2014

From: George M. Homewood, AICP, CFM, Acting
Planning Director

Subject: Applications at 956 Berkley
Avenue Extended -
EA's Little Blessings:

- a. Amend *plaNorfolk2030*, from
Single-Family Traditional to
Commercial.
- b. Rezoning from R-11
(Moderate Density Multi-
Family) district to Conditional
C-1 (Limited Commercial)
district.

Reviewed: Ronald H. Williams, Jr., Assistant City
Manager

Ward/Superward: 4/7

Approved: 
Marcus D. Jones, City Manager

Item Number: PH-4

I. Recommendation:

Plan Amendment

- Approval, based on examination of the area at a greater level of detail.

Rezoning

- Approval, considering compliance with *Zoning Ordinance* requirements and consistency with approved plans.

II. Applicant: EA's Little Blessings by Eli Anthony
956 Berkley Avenue Extended

III. Description

This request would allow for the operation of a Day Care Center.

IV. Analysis

- The site is located on the northeast corner of Berkley Avenue Extended and Obendorfer Road.
- This portion of Berkley Avenue is developed with a mix of single and multi-family uses as well as Institutional uses.
- Directly to the south of the site are non-residential uses in the City of Chesapeake.

Plan Analysis

- *plaNorfolk2030* designates this site as Single Family Traditional, making the proposed use inconsistent with *plaNorfolk2030*.
 - An amendment to Commercial is necessary for the proposed use to be consistent with *plaNorfolk2030*.
- The Identifying Land Use Strategies chapter of *plaNorfolk2030* calls for using slightly more intense land uses as buffers for lower intensity land uses, and for locating new commercial at intersections of roads rather than at mid-block locations.
 - Since the proposed use would be located at an intersection and in a position to buffer the industrial land uses on the south side of Berkley Avenue Extended and the single family-homes to the north and west, the plan amendment is appropriate.

Zoning Analysis

- The site is currently zoned R-11 (Medium Density Multi-Family) district which only permits Day Care Centers on lots 10,000 square feet or greater.
- The applicant is requesting to change the zoning to conditional C-1 (Limited Commercial) district which permits the use by-right.
- The proffered conditions:
 - The number of children will be limited to 20 and hours of operation limited.
- Directly adjacent to the east is a vacant lot zoned for institutional uses and directly to the south are general industrial uses located in Chesapeake.
- A limited commercial use at this intersection which services the community would provide some additional buffer between the industrial uses in Chesapeake and the residential uses to the north in Norfolk.
- If the plan amendment is approved, the request would be consistent with *plaNorfolk2030*.

Traffic Analysis

- Institute of Transportation Engineers (ITE) figures estimate that this development will generate 166 new vehicle trips per day.
 - Based upon ITE data, the existing duplex on this site generates 13 weekday trips while the proposed new child daycare facility would be expected to generate 179 trips a day.

V. Financial Impact

The property owner is current on all taxes.

VI. Environmental

- The proposed parking lot improvements will meet all current development standards including landscaping and stormwater management.
- A Letter of support was received from the Berkley Light Civic League.

VII. Community Outreach/Notification

- Legal notice was posted on the property on October 8.
- Letter was mailed to the Campostella Heights Civic League President on October 23.
- Letters were mailed to all property owners within 300 feet of the property on October 30.
- Notice was sent to the civic league by the Department of Communications on October 30.
- Legal notification was placed in *The Virginian-Pilot* on October 31 and November 7.
- The Planning Commission Public Hearing was held on November 14, 2013.
- Public notification for this agenda item was conducted through the City of Norfolk's agenda notification process.

VIII. Board/Commission Action

By a vote of **6 to 0**, the Planning Commission recommended that the request for Plan Amendment and Conditional Rezoning be **approved**, subject to the conditions outlined in the attached ordinances.

IX. Coordination/Outreach

This report has been coordinated with the Department of Planning and Community Development, the City Attorney's Office and the City of Chesapeake.

Supporting Material from the Department of Planning and Community Development:

- Proponents and Opponents
- Ordinances
- Locational Map
- Zoning Map
- Application
- Letter to Civic League
- Letter to the City of Chesapeake, Planning Director
- Letter of support from Berkley Light Civic League

Proponents and Opponents

Proponents

Hollis Ellis
321 Office Square Lane, Suite 101A
Virginia Beach, VA 23462

Opponents

None

11/08/13 tsv

Form and Correctness Approved: 

Contents Approved: 

By 
Office of the City Attorney

By 
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE TO AMEND THE CITY'S GENERAL PLAN, PLANORFOLK2030, SO AS TO CHANGE THE LAND USE DESIGNATION FOR PROPERTY LOCATED AT 956 AND 960 BERKLEY AVENUE EXTENDED FROM SINGLE-FAMILY TRADITIONAL TO COMMERCIAL.


- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That the land use designation set forth in the City's general plan, plaNorfolk2030, for the property located at 956 and 960 Berkley Avenue Extended is hereby changed from Single-Family Traditional to Commercial. The property which is the subject of this change in land use designation is more fully described as follows:

Property fronts 87 feet, more or less, along the northern line of Berkley Avenue Extended and 100 feet, more or less, along the eastern line of Obendorfer Road; premises numbered 956 and 960 Berkley Avenue Extended.

Section 2:- That this ordinance shall be in effect from the date of its adoption.

Form and Correctness Approved: 

By 
Office of the City Attorney

Contents Approved: 

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DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE TO REZONE PROPERTY LOCATED AT 956 AND 960 BERKLEY AVENUE EXTENDED FROM R-11 (MODERATE DENSITY MULTI-FAMILY RESIDENTIAL) DISTRICT TO CONDITIONAL C-1 (LIMITED COMMERCIAL) DISTRICT.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That the property located at 956 and 960 Berkley Avenue Extended is hereby rezoned from R-11 (Moderate Density Multi-Family Residential) District to Conditional C-1 (Limited Commercial) District. The property is more fully described as follows:

Property fronts 87 feet, more or less, along the northern line of Berkley Avenue Extended and 100 feet, more or less, along the eastern line of Obendorfer Road; premises numbered 956 and 960 Berkley Avenue Extended.

Section 2:- That the property rezoned by this ordinance shall be subject to the following conditions:

- (a) The hours of operation for any business located on the property shall be limited to 6:00 a.m. until 6:00 p.m. Monday through Friday.
- (b) For any Child Day Care Center that operates on the property, the maximum capacity shall be limited to 20 students.
- (c) All green space and landscaping existing at the time of this rezoning shall remain and shall be maintained.
- (d) The site shall be developed in accordance with the site plan prepared by CAE, Inc., dated October 9, 2013, and attached hereto as "Exhibit

A".

Section 3:- That the official Zoning Map for the City of Norfolk is hereby amended and reordained so as to reflect this rezoning.

Section 4:- That this ordinance shall be in effect from the date of its adoption.

ATTACHMENT:

Exhibit A (1 page)

SITE STATISTICS

PROPOSED USE: DAYCARE

GPIN: 1436-48-2609

ADDRESS: 956 BERKLEY AVENUE EXT

PROPOSED PARKING: 7 SPACES (REGULAR SPACES)
1 SPACE (HANDICAP VAN ACCESSIBLE)

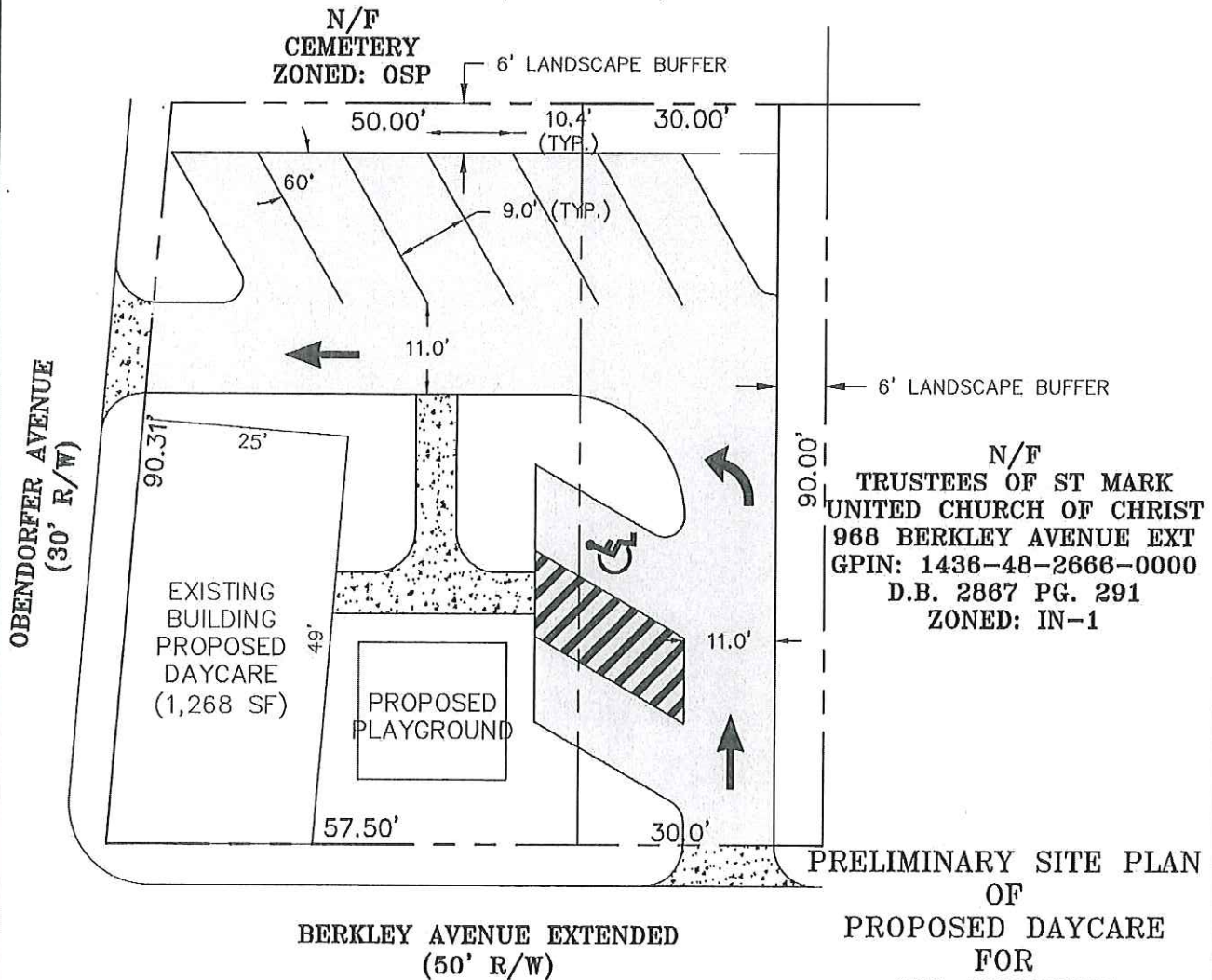
SITE AREA: 7,538 SF (0.17 ACRE)

EXISTING BUILDING AREA: 1,268 SF (0.029 ACRE)

PROPOSED BUILDING AREA: 1,268 SF (0.029 ACRE)

PROPOSED PAVEMENT AREA: 3,214 SF (0.074 ACRE)

PROPOSED CONCRETE AREA: 242 SF (0.006 ACRE)

PRELIMINARY SITE PLAN
OF

PROPOSED DAYCARE

FOR

ELI ANTHONY

OCTOBER 9, 2013

NORFOLK, VIRGINIA

CAE, INC.

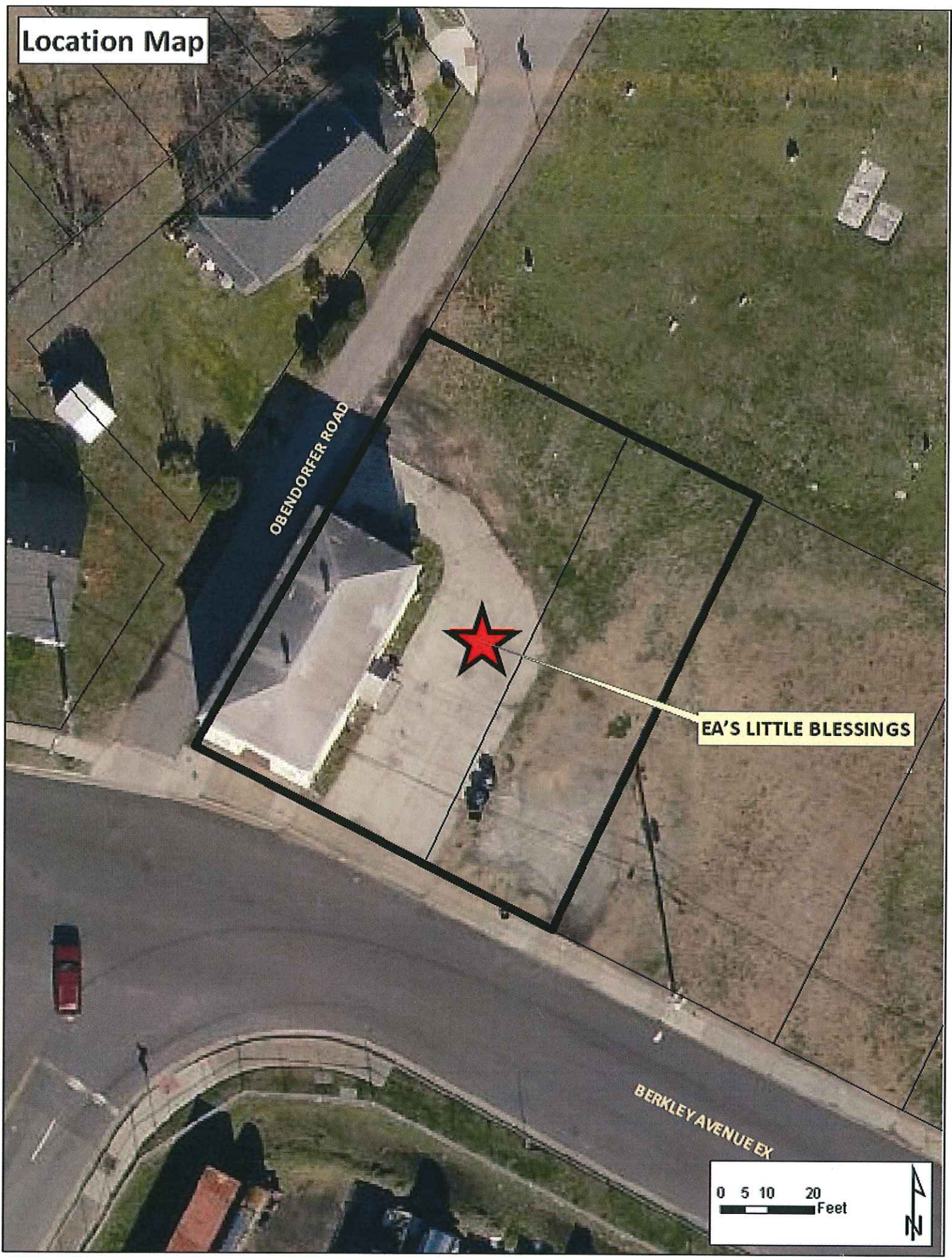
ENGINEERS, PLANNERS, AND CONSTRUCTION CONSULTANTS

321 OFFICE SQUARE LANE, SUITE 101A
VIRGINIA BEACH, VIRGINIA 23462-3655

TELEPHONE (757) 271-1576 (757) 271-1009 (FAX)

FILE NUMBER:

Location Map



OBENDORFER ROAD

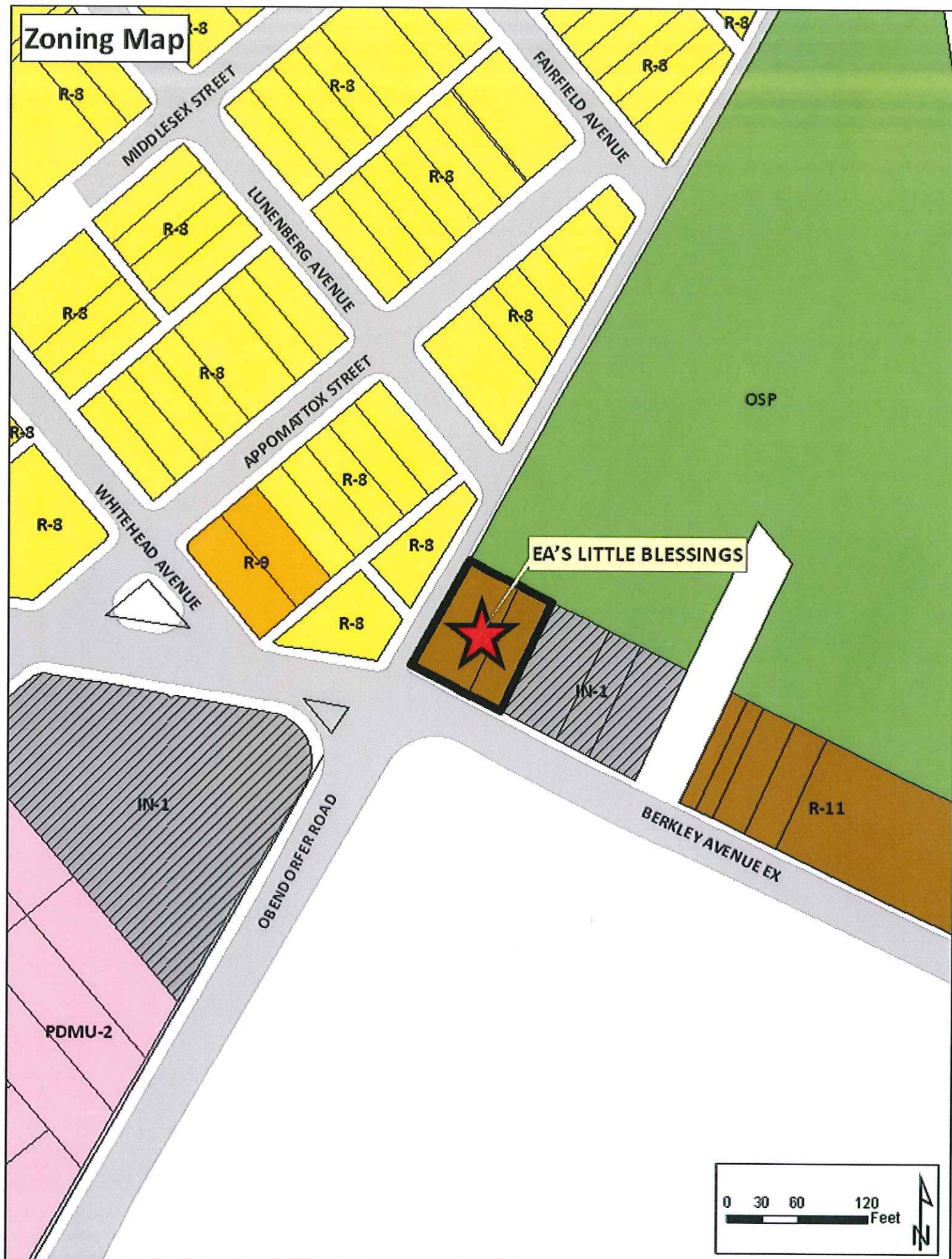
EA'S LITTLE BLESSINGS

BERKLEY AVENUE EX

0 5 10 20 Feet



Zoning Map





**APPLICATION
CONDITIONAL CHANGE OF ZONING**

Date of application: 9/9/2013

Conditional Change of Zoning

From: R-11 Zoning To: Conditional C-1 Zoning

DESCRIPTION OF PROPERTY

Property location: (Street Number) 956 (Street Name) BERKLEY AVE

Existing Use of Property: APARTMENTS

Current Building Square Footage 1225 FIRST FLOOR

Proposed Use DAY CARE FOR CHILDREN

Proposed Building Square Footage 1225 FIRST FLOOR

Trade Name of Business (If applicable) EA'S LITTLE BLESSINGS

APPLICANT/ PROPERTY OWNER

1. Name of applicant: (Last) ANTHONY (First) EILY (MI) _____

Mailing address of applicant (Street/P.O. Box): 956 BERKLEY AVE

(City) NORFOLK (State) VA (Zip Code) 23701

Daytime telephone number of applicant (BT) 739-9914 Fax (BT) 405-9416

E-mail address of applicant: Eily.Anthony@Verizon.net

Conditional Rezoning
Page 2

2. Name of property owner:(Last) ANTHONY (First) ELLY (MI) _____

Mailing address of property owner (Street/P.O. box): 956 BERKLEY AVE

(City) NORFOLK (State) VA (Zip Code) _____

Daytime telephone number of owner () 739-9914 Fax number () 405-9416

CIVIC LEAGUE INFORMATION

Civic League contact: _____

Date(s) contacted: _____

Ward/Super Ward information: _____

REQUIRED ATTACHMENTS

- ✓ Required application fee, **\$705.00** (if check, make payable to Norfolk City Treasurer).
 - Application fee includes a non-refundable \$5 technology surcharge.
 - If accompanied with a necessary map amendment to the City's adopted general plan, *plaNorfolk2030*, an additional technology surcharge of **\$5** will be required.
- ✓ Two 8½ x 14 inch copies of a survey or site plan drawn to scale showing:
 - Existing and proposed building structures
 - Driveways
 - Parking
 - Landscaping
 - Property lines (see attached example)
- ✓ Proffered conditions.
- ✓ Description and details of the operation of the business (i.e., # of employees, # of bays, reason for rezoning, etc...)

CERTIFICATION:

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

✕ Print name: Elly Anthony Sign: Elly Anthony 18/9/13
(Property Owner or Authorized Agent Signature) (Date)

Print name: WENDELL GREEN Sign: Wendell Green 8/12/13
(Applicant or Authorized Agent Signature) (Date)

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised July, 2013)

PROFERRED CONDITIONS

- 1) HOURS OF OPERATIONS WILL BE 6:00AM TO 6:00 PM MONDAY THRU FRIDAY
- 2) STUDENT CAPACITY WILL BE 20 STUDENT AT ANY ONE TIME
- 3) ALL EXISTING FOUNDATION^{GREEN SPACE} AND LANDSCAPING SHOULD BE MAINTAINED.
- 4) ~~SITE PLAN~~ FINAL SITE CONSTRUCTION SHALL BE IN SUBSTANTIAL CONFORMANCE WITH PRELIMINARY SITE PLAN.
- 5)
- 6)
- 7)
- 8)

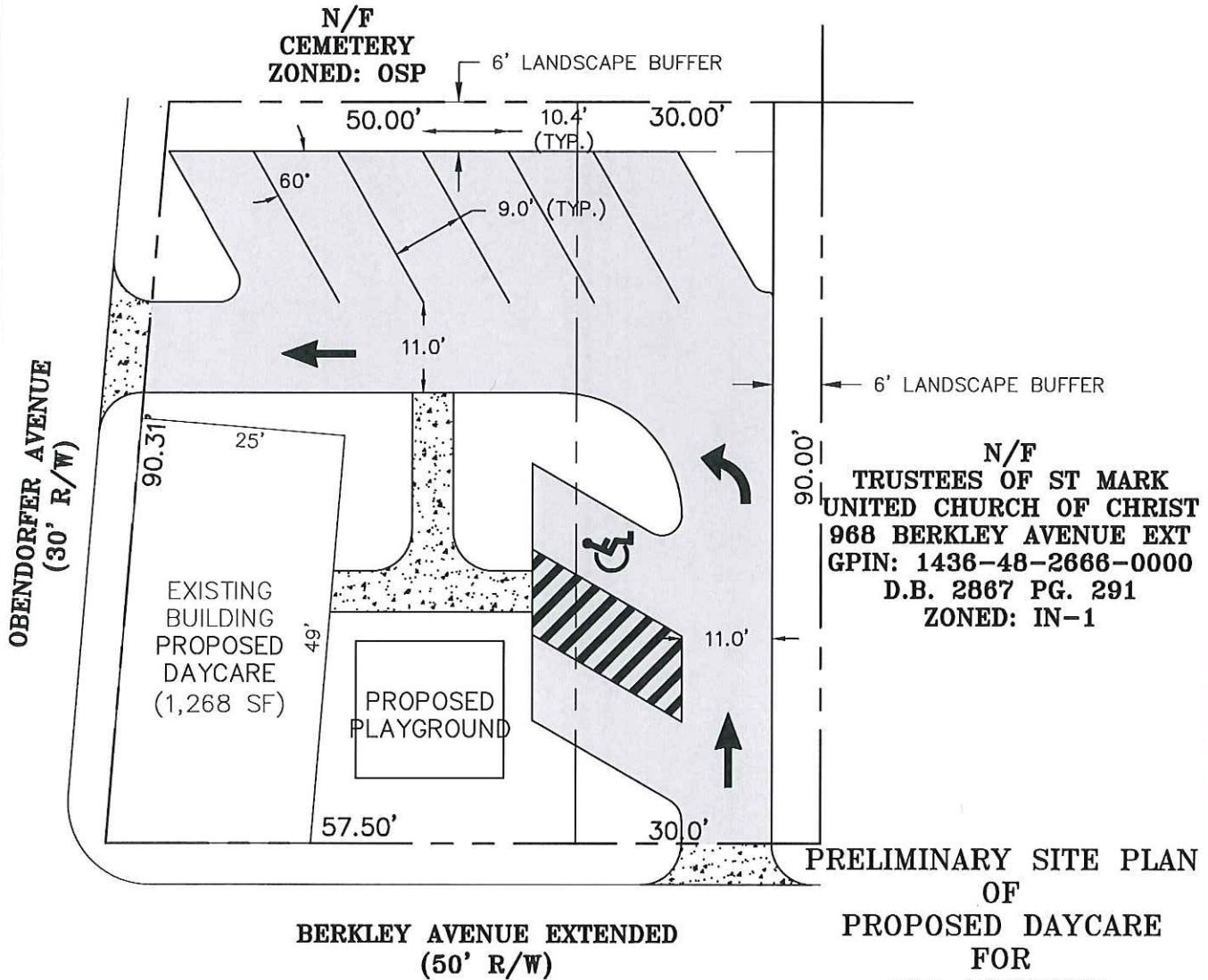
SIGNED:


(Applicant signature)

101 221 13
(Date)

SITE STATISTICS

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 ADDRESS: 956 BERKLEY AVENUE EXT
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OF

PROPOSED DAYCARE
FOR

ELI ANTHONY
 OCTOBER 9, 2013
 NORFOLK, VIRGINIA

CAE, INC.

ENGINEERS, PLANNERS, AND CONSTRUCTION CONSULTANTS

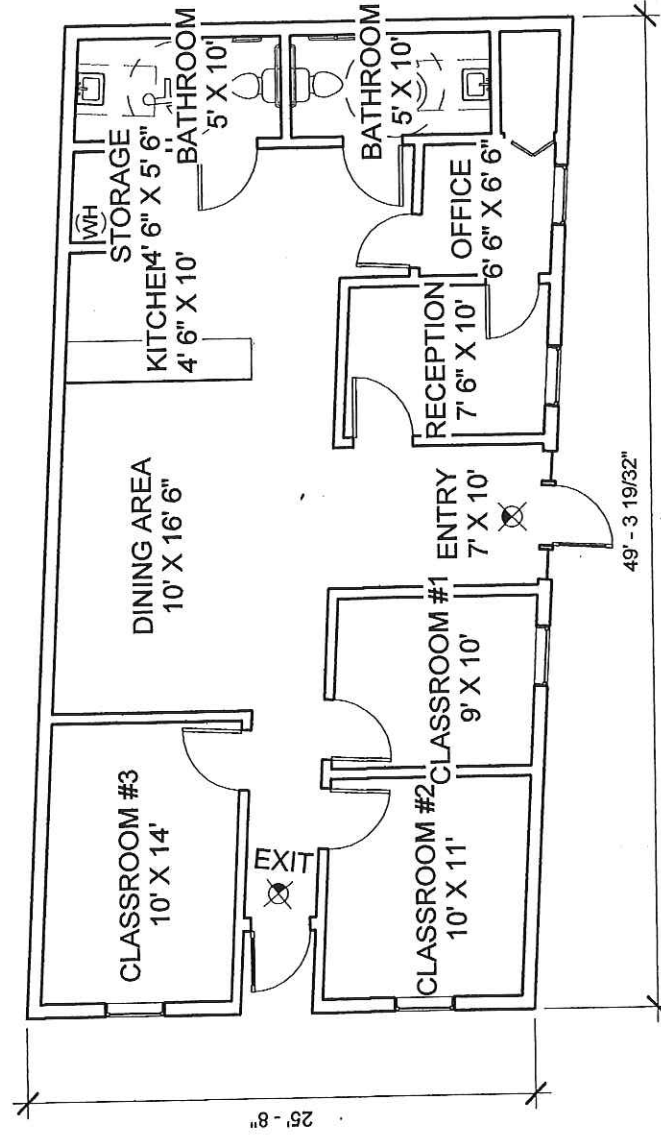
321 OFFICE SQUARE LANE, SUITE 101A
 VIRGINIA BEACH, VIRGINIA 23462-3655
 TELEPHONE (757) 271-1576 (757) 271-1009 (FAX)

FILE NUMBER:

FLOOR PLAN LAYOUT- DAYCARE

956 BERKELEY AVE NORFOLK, VA

1,225 SQUARE FEET



1 FLOOR PLAN
1/8" = 1'-0"



October 23, 2013

Keela Boose
President, Campostella Heights Civic League
1936 Springfield Avenue
Norfolk, VA 23523

Dear Ms. Boose,

The Planning Department has received an application for a Change of Zoning from R-11 (Medium Density Multi-Family) district to Conditional C-1 (Limited Commercial) district on property located at 956 Berkley Avenue Extended. This item is tentatively scheduled for the November 14, 2013 City Planning Commission public hearing.

Summary

This request would permit EA's Little Blessings to operate a child day care facility with 20 children and three employees within the existing building.

If you would like additional information on the request, you may contact the applicant at (757) 739-9914; or you may telephone Susan Pollock on my staff at (757) 664-4765. A copy of the complete application is enclosed.

Sincerely,

Frank M. Duke, AICP
Planning Director

cc: Jim Herbst, Neighborhood Development Specialist



November 1, 2013

Department of Planning
Jaleh Shea
P.O. Box 15225
Chespeak, VA 23328

Dear Ms. Shea,

The Planning Department has received an application from EA's Little Blessings by Eily Anthony, for the following applications on property located at 956-960 Berkley Avenue Extended:

- a. For an amendment to the City's general plan, *plaNorfolk2030*, from Single-Family Traditional to Commercial.
- b. For a Rezoning from R-11 (Moderate Density Multi-Family) district to Conditional C-1 (Limited Commercial) district.

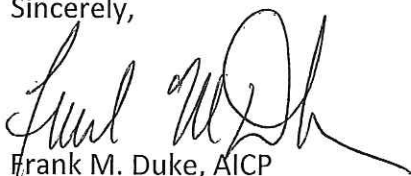
This item is tentatively scheduled for the November 14, 2013 City Planning Commission public hearing.

Summary

The applicant is proposing to operate a Day Care Center from the site.

If you would like additional information on the request, you may contact the applicant at (757) 739-9914 or you may telephone Susan Pollock on my staff at (757) 664-4765. A copy of the complete application is enclosed.

Sincerely,



Frank M. Duke, AICP
Planning Director



BEACON LIGHT CIVIC LEAGUE

INCORPORATED
PO Box 468
Norfolk, VA 23523

November 10, 2013

City Planning Commission
810 Union Street
Suite 508
Norfolk, VA 23510

Dear Commissioners,

Beacon Light Civic League conditionally supports Mr. Eily Anthony in his request for an amendment to the City's general plan, rezoning the property located at 956-960 Berkley Avenue Extended, from R-11 district to Conditional C-1 district for purposes of operating a Day Care Center. Our support is contingent upon Mr. Anthony's agreement to ensure that the Day Care Center is the only intended use for this property and that he will notify Beacon Light Civic League in the event that he decides to sell the property. Mr. Anthony's Day Care Center will provide a needed service in the community, and we look forward to welcoming EA's Little Blessings to the community.

Respectfully,

Pamela Rodgers
President, Beacon Light Civic Leagues, Inc.

Cc: Councilman Paul Riddick
Councilwoman Angelia Williams
George Banks, Vice President, BLCL
Planning Commission